

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

JOHN D. WOOTON,

Plaintiff,

v.

CL, LLC, a Florida Limited Liability
Company; TERRENCE COYLE,
individually and as Manager/Member
of CL, LLC, a Florida Limited Liability
Company; JAY ROBERT LUNDBLAD;
and, PETER CHICOURIS,

Defendants.

JUDGMENT

No. 2:09-CV-34-FL

Decision by Court.

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of the motion to dismiss filed September 18, 2009 by defendants Anderson Midgett and Stockton Midgett; the motion to dismiss filed November 24, 2009 by defendant Peter Chicouris; the motion for judgment on the pleadings filed October 20, 2010 by defendant Midgett Realty, Inc.; the notice of voluntary dismissal filed December 29, 2010 by crossclaimants Anderson and Stockton Midgett; plaintiff's notice of voluntary dismissal filed June 30, 2011; and plaintiff's motion for default judgment filed July 1, 2011.

IT IS ORDERED, ADJUDGED AND DECREED, in accordance with the court's orders entered September 27, 2010, December 29, 2010, and July 1, 2011, and for the reasons set forth more specifically therein, that:

(1) The motions to dismiss of defendants Anderson Midgett, Stockton Midgett and Peter Chicouris are granted. All claims against these defendants are dismissed.

(2) The motion for judgment on the pleadings of defendant Midgett Realty, Inc. is granted. All claims against this defendant are dismissed.

(3) Default judgment is entered against defendants CL, LLC and Terrence Coyle on plaintiff's claims. Plaintiff is awarded the sum of \$105,916.75 in damages from defendant CL, LLC; the sum of \$520,922.37 in damages from defendant CL, LLC and defendant Terrence Coyle, who are jointly and severally liable for that amount; the sum of \$81,735.00 in attorney's fees from defendant CL, LLC and defendant Terrence Coyle, who are jointly and severally liable for that amount; and the sum of \$2,793.55 in costs from defendant CL, LLC and defendant Terrence Coyle,

who are jointly and severally liable for that amount. Post-judgment interest on these amounts shall accrue at the rate specified in 28 U.S.C. § 1961.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, in accordance with the crossclaimants' notice of voluntary dismissal filed December 29, 2010 and plaintiff's notice of voluntary dismissal filed June 30, 2011, that any remaining claims and crossclaims asserted in this action are dismissed.

This Judgment Filed and Entered on July 12, 2011, and Copies To:

Dennis C. Rose (via CM/ECF Electronic Notice of Filing)
L. Phillip Hornthal, III (via CM/ECF Electronic Notice of Filing)
Paddison P. Hudspeth (via CM/ECF Electronic Notice of Filing)
Robert H. Merritt, Jr. (via CM/ECF Electronic Notice of Filing)
CL, LLC c/o Terrence Coyle, Registered Agent (via U.S. Mail)
Post Office Box 374, Indian Rocks Beach, FL 33785
Jay Robert Lundblad (via U.S. Mail)
1007 Joseph Drive, Aliquippa, PA 15001-1167
Terrence Coyle (via U.S. Mail)
11210 Spring Street, Largo, FL 33771

July 12, 2011

DENNIS P. IAVARONE, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk